

**IN the CLAIMS**

The following is a detailed listing of all claims that are, or were, in the application. A status identifier is provided for every claim and the current text of every claim is presented, unless the claim has been cancelled. Current amendments to the claims are expressed in the detailed listing by strikethrough or double brackets (for deleted matter) or underlining (for added matter).

1. – 4. (CANCELLED)

5. (CURRENTLY AMENDED) A method for use in a sales transaction, comprising:

determining, via a controller, a measure of flexibility based on a product description;

determining a sale price based on the product description; and

selecting a product to be sold for the sale price,

wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the sale price is based on the measure of flexibility; and

~~A method according to Claim 4,~~ wherein the step of determining the measure of flexibility comprises:

determining a number of flexibility points for each condition value in the product description; and

summing the determined flexibility points.

6. (ORIGINAL) A method according to Claim 5, wherein the number of flexibility points determined for a condition value is determined based on retailer data.

7. – 28. (CANCELLED)

29. (CURRENTLY AMENDED) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

a determining step to determine a sale price based on a product description; and  
a selecting step to select a product to be sold for the sale price,

wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the determining step comprises determining a measure of flexibility based on the product description and determining the sale price based on the measure of flexibility; and

wherein determining the measure of flexibility comprises determining a number of flexibility points for each condition value in the product description and summing the determined flexibility points.

30. (ORIGINAL) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

a determining step to determine a sale price based on a product description; and  
a transmitting step to transmit the sale price to a customer,

wherein the customer is not guaranteed what specific product will be purchased before an agreement to purchase a product for the sale price is received from the customer.

31. (ORIGINAL) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

- a determining step to determine a sale price based on a product description;
- a receiving step to receive from a customer an agreement to purchase a product for the sale price; and
- after the receiving step, a selecting step to select a particular product to be sold to the customer from among a plurality of different products conforming to the product description.

32. (ORIGINAL) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

- a receiving step to receive a product description from a customer, the product description including condition values describing a product desired by a customer;
- a determining step to determine a sale price based on the received product description;
- a transmitting step to transmit the sale price to the customer;
- a receiving step to receive from the customer an agreement to purchase a product conforming to the product description for the sale price;
- a selecting step to select a specific product conforming to the product description;
- and
- a transmitting step to transmit redemption information to the customer, the redemption information identifying the specific product,
- wherein the customer is not guaranteed what specific product will be purchased before the agreement is received.

33. (ORIGINAL) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

- a receiving step to receive a description of a desired air travel itinerary;
- a determining step to determine a sale price based on the description;
- a receiving step to receive an agreement from a customer to purchase an airline ticket for the sale price; and
- after receiving the agreement, a selecting step to select a flight on which the airline ticket will allow the customer to travel.

34. (CURRENTLY AMENDED) Computer-executable process steps encoded in a computer-readable signal, the process steps comprising:

- a determining step to determine a sale price based on a product description; and
- a selecting step to select a product to be sold for the sale price,
  - wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the determining step comprises determining a measure of flexibility based on the product description and determining the sale price based on the measure of flexibility; and

wherein determining the measure of flexibility comprises determining a number of flexibility points for each condition value in the product description and summing the determined flexibility points.

35. (ORIGINAL) Computer-executable process steps encoded in a computer-readable signal, the process steps comprising:

- a determining step to determine a sale price based on a product description; and
- a transmitting step to transmit the sale price to a customer,
  - wherein the customer is not guaranteed what specific product will be purchased before an agreement to purchase a product for the sale price is received from the customer.

36. (ORIGINAL) Computer-executable process steps encoded in a computer-readable signal, the process steps comprising:

- a determining step to determine a sale price based on a product description;
- a receiving step to receive from a customer an agreement to purchase a product for the sale price; and
- after the receiving step, a selecting step to select a particular product to be sold to the customer from among a plurality of different products conforming to the product description.

37. (ORIGINAL) Computer-executable process steps encoded in a computer-readable signal, the process steps comprising:

- a receiving step to receive a product description from a customer, the product description including condition values describing a product desired by a customer;
- a determining step to determine a sale price based on the received product description;
- a transmitting step to transmit the sale price to the customer;
- a receiving step to receive from the customer an agreement to purchase a product conforming to the product description for the sale price;
- a selecting step to select a specific product conforming to the product description;
- and
- a transmitting step to transmit redemption information to the customer, the redemption information identifying the specific product,
  - wherein the customer is not guaranteed what specific product will be purchased before the agreement is received.

38. (ORIGINAL) Computer-executable process steps encoded in a computer-readable signal, the process steps comprising:

- a receiving step to receive a description of a desired air travel itinerary;
- a determining step to determine a sale price based on the description;
- a receiving step to receive an agreement from a customer to purchase an airline ticket for the sale price; and
- after receiving the agreement, a selecting step to select a flight on which the airline ticket will allow the customer to travel.

39. (ORIGINAL) An apparatus comprising:

- a processor; and
- a memory in communication with the processor and storing processor-executable process steps;

wherein the processor is operative with the processor-executable process steps stored in the memory to:

- i) receive a product description from a customer, the product description including condition values describing a product desired by a customer;
- ii) determine a sale price based on the received product description;
- iii) transmit the sale price to the customer;
- iv) receive from the customer an agreement to purchase a product conforming to the product description for the sale price;
- v) select a specific product conforming to the product description; and
- vi) transmit redemption information to the customer, the redemption information identifying the specific product, wherein the customer is not guaranteed what specific product will be purchased before the agreement is received.

40. (ORIGINAL) An apparatus comprising:

a processor; and

a memory in communication with the processor and storing processor-executable process steps;

wherein the processor is operative with the processor-executable process steps stored in the memory to:

i) receive a description of a desired air travel itinerary;

ii) determine a sale price based on the description;

iii) a receiving step to receive an agreement from a customer to purchase an airline ticket for the sale price; and

iv) after receiving the agreement, a selecting step to select a flight on which the airline ticket will allow the customer to travel.

41. (CURRENTLY AMENDED) An apparatus comprising:

means for establishing a sale price based on a product description; and

means for identifying a product to be sold for the sale price,

wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the means for establishing the sale price includes means for determining a measure of flexibility based on the product description and determining the sale price based on the measure of flexibility; and

wherein the means for determining the measure of flexibility includes means for determining a number of flexibility points for each condition value in the product description and summing the determined flexibility points.

42. (ORIGINAL) An apparatus comprising:

- means for establishing a sale price based on a product description; and
- means for delivering the sale price to a customer,

wherein the customer is not guaranteed what specific product will be purchased before an agreement to purchase a product for the sale price is received from the customer.

43. (ORIGINAL) An apparatus comprising:

- means for establishing a sale price based on a product description;
- means for obtaining from a customer an agreement to purchase a product for the sale price; and
- means for identifying a particular product to be sold to the customer from among a plurality of different products conforming to the product description after obtaining the agreement.

44. (ORIGINAL) An apparatus comprising:

- means for obtaining a product description from a customer, the product description including condition values describing a product desired by a customer;
- means for establishing a sale price based on the received product description;
- means for delivering the sale price to the customer;
- means for obtaining from the customer an agreement to purchase a product conforming to the product description for the sale price;
- means for identifying a specific product conforming to the product description;

and

- means for delivering redemption information to the customer, the redemption information identifying the specific product,

wherein the customer is not guaranteed what specific product will be purchased before the agreement is received.



45. (ORIGINAL) An apparatus comprising:

- means for obtaining a description of a desired air travel itinerary;
- means for establishing a sale price based on the description;
- means for obtaining an agreement from a customer to purchase an airline ticket for the sale price; and
- means for identifying a flight on which the airline ticket will allow the customer to travel after obtaining the agreement.